

REMARKS

Claims 1-35 are pending as of the Office Action of March 13, 2008, with claims 36 and 37 having been added with this Response. In this Office Action the Examiner requires Applicant to elect a single Group to which the claims shall be restricted under 35 U.S.C. 121.

Particularly, the Examiner identifies:

Group I: Claims 1-14 and 19-25; and

Group II: Claims 15-18.

In reply to the restriction requirement, Applicants herein provisionally elect Group I, Claims 1-14 and 19-25 **with traverse**.

In support of the above traversal, Applicant first notes that claims 15-18 at least indirectly depend from claims 10 or 11, and thus, claims 15-18 include all of the method steps of claims 10 and 11. Accordingly, claims 10 and 11 are at least linking/generic to both Groups I and II of the claims. For at least this reason, claims 15-18 are at least related to claims 10 and 11 because the shared method steps provide a disclosed relationship between Groups I and II. Such a relationship is evidence that the groups are not independent of each other. Furthermore, the claimed elements of these Groups are at least indistinct from each other in effect because they are usable in a materially similar process of providing vehicle safety to a user (i.e. “detecting and locating objects” and “controlling a restraint system” are both directed to vehicle safety). For at least these above reasons, Applicant respectfully traverses the Examiner’s Restriction Requirement.

Applicant also notes that even if a restriction the materially similar processes of “detecting and locating objects” and “controlling a restraint system” were to be *pro arguendo* proper, claims 15-18 are not independent and distinct from at least claims 22 and 23 because both claims 22 and 23 share a recitation of a controllable “restraint system” with claims 15-18.

Still further, Applicant respectfully notes that claims 26-35, which were submitted in the

preliminary amendment of September 30, 2004, have not been discussed by the Examiner in the instant Office Action. Accordingly, Applicant respectfully assumes that these claims 26-35 would be electable with either of Group I or II, and thus, Applicant provisionally elects claims 26-35 with Group I. Lastly, Applicant also asserts that new claims 36 and 37 are electable with either of Groups I or II, and thus, Applicant also provisionally elects claims 36 and 37 with Group I.

Provided Applicant's above traversal is unsuccessful, Applicants reserve the right to pursue the withdrawn claims in a related application(s) without prejudice.

Prosecution on the merits is respectfully requested. The foregoing is believed to be fully responsive to the outstanding Office Action.

Conclusion

The Examiner is invited to contact Applicant's attorney at the below-listed phone number regarding this Response or otherwise concerning the present application.

Applicant hereby petitions for any extensions of time necessary under 37 C.F.R. §§1.136(a) or 1.136(b).

If there are any charges due with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicant's attorneys.

Respectfully submitted,
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